
Introduced by Senators Kehoe and Leno

May 27, 2009

Senate Resolution No. 23—Relative to hate crimes.

1 WHEREAS, The Senate finds and declares all of the following:

2 (1) The incidence of violence motivated by the actual or
3 perceived race, color, religion, national origin, gender, sexual
4 orientation, gender identity, or disability of the victim poses a
5 serious national problem.

6 (2) Such violence disrupts the tranquility and safety of
7 communities and is deeply divisive.

8 (3) State and local authorities are now, and will continue to be,
9 responsible for prosecuting the overwhelming majority of violent
10 crimes in the United States, including violent crimes motivated by
11 bias. These authorities can carry out their responsibilities more
12 effectively with greater federal assistance.

13 (4) Existing federal law is inadequate to address this problem.

14 (5) A prominent characteristic of a violent crime motivated by
15 bias is that it devastates not just the actual victim and the family
16 and friends of the victim, but frequently savages the community
17 which shares the traits that caused the victim to be selected.

18 (6) Federal jurisdiction over certain violent crimes motivated
19 by bias enables federal, state, and local authorities to work together
20 as partners in the investigation and prosecution of such crimes.

21 (7) The problem of crimes motivated by bias is sufficiently
22 serious, widespread, and interstate in nature as to warrant federal
23 assistance to states, local jurisdictions, and Indian tribes; now,
24 therefore, be it

25 *Resolved by the Senate of the State of California, That the Senate*
26 *thanks the United States House of Representatives for its support*

1 of the Local Law Enforcement Hate Crimes Prevention Act and
2 calls on the United States Senate to swiftly pass the Senate
3 companion measure, the Matthew Shepard Hate Crimes Prevention
4 Act; and be it further

5 *Resolved*, That the Senate urges the President of the United
6 States to sign into law the Matthew Shepard Hate Crimes
7 Prevention Act, to accomplish all of the following:

8 (1) Authorize the United States Attorney General to provide
9 technical, forensic, prosecutorial, or other assistance in the criminal
10 investigation or prosecution of violent, bias-motivated crimes.

11 (2) Update and expand existing federal hate crimes law to ensure
12 that hate crimes based on the actual or perceived race, color,
13 religion, national origin, gender, sexual orientation, gender identity,
14 or disability of the victim are fully investigated and prosecuted.

15 (3) Direct the United States Attorney General to give priority
16 for such assistance, with respect to crimes committed by offenders
17 who have committed crimes in more than one state.

18 (4) Authorize the Attorney General to award grants to assist
19 state, local, and Indian law enforcement agencies, for rural
20 jurisdictions, that have difficulty covering the extraordinary
21 investigation or prosecution expenses involved in these cases.

22 (5) Direct the United States Office of Justice Programs to work
23 closely with funded jurisdictions to ensure that the concerns and
24 needs of all affected parties are addressed.

25 (6) Allow grants to state, local, or tribal programs designed to
26 combat hate crimes committed by juveniles.

27 (7) Require the Attorney General to acquire data on crimes that
28 manifest evidence of prejudice based on gender and gender identity;
29 and be it further

30 *Resolved*, That the Secretary of the Senate transmit copies of
31 this resolution to the author for appropriate distribution.